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August 9, 2024

VIA ECF

Honorable Tonianne J. Bongiovanni, U.S.M.J.
United States District Court
District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: *AstraZeneca Pharm. LP v. Natco Pharma Ltd.*, Civil Action No. 3:23-796 (RK) (TJB); *AstraZeneca Pharm. LP v. Sandoz Inc.*, Civil Action No. 3:24-641 (RK) (TJB); *AstraZeneca Pharm. LP v. Natco Pharma Ltd.*, Civil Action No. 3:24-5887 (RK) (TJB); *AstraZeneca Pharm. LP v. Sandoz Inc.*, Civil Action No. 3:24-5889 (RK) (TJB); *AstraZeneca Pharm. LP v. Cipla Limited*, Civil Action No. 3:24-7346 (RK) (TJB); *AstraZeneca Pharm. LP v. Natco Pharma Ltd.*, Civil Action No. 3:24-8162 (RK) (TJB); *AstraZeneca Pharm. LP v. Sandoz Inc.*, Civil Action No. 3:24-8164 (RK) (TJB); *AstraZeneca Pharm. LP v. Cipla Limited*, Civil Action No. 3:24-8167 (RK) (TJB)

Dear Judge Bongiovanni:

Our firm, together with Williams & Connolly LLP, represents Plaintiffs AstraZeneca Pharmaceuticals LP, AstraZeneca UK Limited, AstraZeneca AB, Kudos Pharmaceuticals Limited, The University of Sheffield, and MSD International Business GmbH (“Plaintiffs”) in the above-referenced matters. With Midlige Richter, LLC and Rakoczy Molino Mazzochi Siwik LLP, counsel for Defendants Natco Pharma Limited and Natco Pharma Inc. (together, “Natco”), and with Hill Wallack LLP and Crowell & Moring LLP, counsel for Defendant Sandoz Inc. (“Sandoz”), and with K&L Gates LLP, counsel for Defendants Cipla Limited and Cipla USA, Inc. (together “Cipla”) (Natco, Sandoz, and Cipla collectively, “Defendants”), we jointly submit the attached Stipulation and [Proposed] Order of Consolidation for the Court’s consideration.

As Your Honor is aware, the Court previously granted the parties’ requests and consolidated the first four matters on March 27, 2024, and May 30, 2024. (3:23-cv-796, ECF Nos. 59 and 87.) On June 28, 2024, Plaintiffs filed a complaint against Cipla relating to Cipla’s ANDA product that references the same LYNPARZA® (olaparib) product at issue in the consolidated case and that asserted a set of patents that overlaps with the patents asserted against Natco and Sandoz in the consolidated case. (3:24-7346, ECF No. 1.) Cipla has not filed an answer in this new action, but has waived service of process. (3:24-7346, ECF Nos. 10 and 11.) On July 31, 2024, Plaintiffs (except the University of Sheffield) filed three new actions against Natco, Sandoz, and Cipla asserting infringement of a patent issued the day before. These actions too all relate to the brand product at issue in the main action (3:23-cv-796) and the asserted patent in these cases

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is related to other patents that have been asserted in the consolidated case. Defendants have not filed answers in the three new actions.

The parties conferred and agree that, in order to conserve the parties' and the Court's time and resources, it makes sense to consolidate these new matters with the main action, 3:23-cv-796, for pretrial purposes. If this proposal is acceptable, the parties respectfully request that Your Honor "So-Order" the attached Stipulation and [Proposed] Order of Consolidation, the attached Stipulation and Consolidated Amended Pretrial Scheduling Order, and the attached Second Supplemental Stipulated Confidentiality Order and direct their entry on the dockets.

If the Court would like to discuss this matter further, the parties will make themselves available at the Court's convenience. We thank the Court for its consideration and assistance in these matters.

Respectfully submitted,

s/ Charles H. Chevalier
Charles H. Chevalier

Attachments

cc: All counsel of record via ECF and email